

District Judge Robert S. Lasnik
Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHIVDAYAL SINGH DHILLON,

Petitioner,

v.

MERRICK GARLAND, Attorney General;
ALEJANDRO MAYORKAS, Secretary of
Homeland Security; NATHALIE ASHER, Seattle
Field Office Director, U.S. Immigration and
Customs Enforcement; WARDEN of Immigration
Detention Facility; and the U.S. Immigration and
Customs Enforcement,

Respondents.

No. C21-878-MLP

JOINT STIPULATION AND ORDER
CONSENTING TO MAGISTRATE
JUDGE AND DISMISSING HABEAS
PETITION

NOTE ON MOTION CALENDAR:
October 4, 2021.

COMES NOW Respondents, by and through their counsel, Tessa M. Gorman, Acting
United States Attorney for the Western District of Washington, and Nickolas Bohl, Assistant
United States Attorney for said District, and Petitioner, by and through his counsel Gregory
Murphy, and hereby jointly stipulate and agree as follows:

WHEREAS on June 30, 2021, Petitioner filed a habeas petition challenging his
continued immigration detention. Dkt. No. 5.

WHEREAS on July 30, 2021, Respondents filed a Motion to Dismiss. Dkt No. 8.

1 WHEREAS on September 29, 2021, Petitioner was removed from the United States to
2 India on an order of removal.¹ Counsel for Petitioner has separately confirmed the removal.

3 WHEREAS the parties agree that Petitioner's removal rendered the habeas petition
4 moot. *See Abdala v. Immigration and Naturalization Service*, 488 F.3d 1061, 1065 (9th Cir.
5 2007).

6 WHEREAS the parties agree that this action should be dismissed as moot without fees
7 or costs to either party.

8 WHEREAS the parties agree that the pending Motion to Dismiss should be denied as
9 moot.

10 WHEREAS the parties consent to proceed before the assigned Magistrate Judge under
11 28 U.S.C. § 636(c).

12 NOW THEREFORE, the parties, through their respective counsel of record, do hereby
13 stipulate and agree, and respectfully request, that the Court make and enter the following order:

- 14 1. Petitioner's habeas petition is hereby denied and dismissed as moot without fees or
15 costs to either party.
- 16 2. Respondents' Motion to Dismiss is denied as moot.

17 SO STIPULATED.

18 DATED this 4th day of October, 2021.

19
20 TESSA M. GORMAN
21 Acting United States Attorney

22 s/ Nickolas Bohl
23 NICKOLAS BOHL WSBA #48978
24 Assistant United States Attorney
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¹ Counsel for Respondents has not yet received a copy of the paperwork confirming removal but will provide that as soon as it becomes available.

1 Attorneys for Respondents

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3 SO STIPULATED.

4 DATED this 4th day of October, 2021.

5
6 s/ Gregory Murphy

7 GREGORY MURPHY, WSBA # 36733

8 Assistant Federal Public Defender

9 Federal Public Defender's Office

10 1601 Fifth Avenue, Suite 700

11 Seattle, Washington 98101

12 Telephone: (206) 553-1100

13 Email: Gregory_Murphy@fd.org

14 Attorney for Petitioner

ORDER

IT IS SO ORDERED.

DATED this 4th day of October, 2021.



MICHELLE L. PETERSON
United States Magistrate Judge